

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. CANTOR et al.

Application No.: 10/617,489

Filing Date: July 10, 2003

For: METHODS, KITS AND ANTIBODIES
FOR DETECTING PARATHYROID
HORMONE

Examiner: C. Cheu

Group Art Unit: 1641

Confirmation No.: 4476

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

The documents set forth on the enclosed Form PTO/SB/08a/b have not been submitted or cited in the present application. It is understood that the Office is under no obligation to consider these documents at this time; however, to complete the record they are submitted. Copies of the non-patent literature documents are enclosed. Applicants believe that the documents are in no way destructive of patentability of the allowed claims.

Document numbers 3 and 4 are from application number 10/617,489. Document number 5 is from related application number 11/799,726. Document number 6 is from related EP application number 06008181.7.

Document number 7 is a Decision on Appeal from reexamination control number 90/007,412. Applicants are the third party requester in that matter. Document numbers 8 and 9 are

from application number 10/168,185. Applicants filed related application number 10/945,608 to provoke Interference with application number 10/168,185.

Document numbers 10-13, and 21-22 are from *Scantibodies Laboratory, Inc. v. Immutopics, Inc.*, at the United States District Court for the Central District of California, Case No. CV 04-08871 MRP (MANx), appealed as Case No. 2008-1522 at the United States Court of Appeals for the Federal Circuit. This litigation involves U.S. Patent No. 6,689,566. The present application is a Continuation-in-Part of U.S. Patent No. 6,743,590, which is a Continuation-in-Part of U.S. Patent No. 6,689,566. Scantibodies Laboratory, Inc. is the assignee of the present application. Document number 21 is a Revised Order for Summary Judgment of Non-Infringement.

Document number 14 is from the reexamination of U.S. Patent No. 6,689,566, having Control numbers 90/007,685 and 90/007,732.

Document number 15 is from related application number 10/641,780. Document numbers 16 and 17 are from related application number 10/760,091. Document numbers 18 and 19 are from related application number 10/945,608.

Document number 20 is a Decision from an Opposition proceeding initiated by the Applicants against Japanese Patent No. 3457004. The patentee did not appeal to the Japanese Intellectual Property High Court and the patent expired on January 29, 2009.

Document numbers 23 and 27 are from Patent Interference No. 105,575 (MPT), which involves related application number 10/641,780. Document number 24 is from related application number 11/799,726. Document numbers 25 and 26 were cited by the examiner in document number 24.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **532212000623**.

Dated: June 19, 2009

Respectfully submitted,

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